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SUBJECT: ASYLUM SEEKER DEATHS HIGHLIGHT BORDER SECURITY
DEBATE

11. (SBU) Summary: The deaths of three Afghans in a recent boat explosion off Australia's northwest coast highlight a larger debate over the effects of Prime Minister Rudd's policies on treatment of asylum seekers. Border protection is becoming a higher profile political issue due to a rise in the number of boat people seeking asylum in recent months. While overall numbers are relatively small -- less than 200 in each of the last two years -- the numbers have risen steadily, spiking to 276 asylum seekers so far in the first three and one-half months of 2009. The government attributes the increase to deteriorating conditions in strife-torn countries such as Afghanistan, Pakistan and Sri Lanka, while the Opposition blames it on the Rudd government's relaxation of immigration detention policies in 2008. Four boatloads of asylum seekers have been intercepted in the last two weeks, the latest occurring on April 15 when, in an ironic twist, government ministers were in Indonesia for a regional conference on combating people smuggling. Moreover, the issue is highly emotive; border protection was widely credited as a major factor in the conservative Coalition's 2001 election victory. Opposition Liberal moderates may resist a returning to the hard-line approach adopted by the previous Coalition government led by John Howard. At the same time, the ALP left will pressure Rudd not to reverse course if he shows any sign of toughening its asylum rules. END SUMMARY.

EXPLOSION DESTROYS BOAT WITH ASYLUM SEEKERS OFF NW AUSTRALIA
COAST

12. (SBU) The April 16 explosion aboard a boat carrying 47 Afghani male asylum seekers near Ashmore Reef, off the northwest coast of Western Australia (WA), killed three people and injured about 30 others, some seriously. Two people are still missing. In a dramatic rescue mission, victims were evacuated to nearby hospitals in Broome and Darwin (in the Northern territory), while others were airlifted to the WA capital's Royal Perth Hospital's specialist burn unit. The hospital's executive director Dr. Paul Mark said that extra security was in place at the hospital, including immigration officials and various government agency staff. All patients have been quarantined in separate rooms and the hospital remains on code brown alert--meaning that the hospital is coping with a rare external disaster. In an extremely complex medical rescue, those injured in the explosion were transported by naval vessels to the Puffin oil rig, then by helicopter to the Truscott Air Base in the Northwest before being evacuated to hospitals by Royal Flying Doctor Service (RFDS), military

aircraft, including C-17s, and charter planes. Some with minor injuries are being taken by sea to Darwin. RFDS chief executive Tim Shackelton said that the significantly difficult, logistical operation had gone remarkably well.

WA PREMIER CLAIMS SABOTAGE

13. (SBU) Shortly after early reports of the incident, WA Premier Colin Barnett claimed that the asylum seekers had deliberately doused their boat with gasoline, which had either exploded accidentally, or had been deliberately ignited. The claim could not be confirmed and Australia's Border Protection Commander, Rear Admiral Allan de Toit, declined to comment on the Premier's assertion, saying that it was too early to determine the cause of the explosion, adding that Australian military personnel, who had intercepted the boat a day earlier, were on board at the time of the explosion. WA police believed that the blast may have originated in the engine room. Federal Home Affairs Minister Bob Debus questioned the source of Premier Barnett's information, commenting that it was too early to say whether the explosion was accidental or deliberate. WA Labor MLA Paul Papalia, a former patrol boat commander, called for a more considered approach by all participants in the public debate, terming the public speculation on the cause of the fire "inappropriate and incredibly unhelpful at a time when an incident is underway which has resulted in death and injury to a number of people."

THE FACTS

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14. (U) There were 148 unauthorized arrivals intercepted in Australian waters in calendar year 2007; 179 in 2008; and 276 so far in 2009. Four boatloads of asylum seekers have been intercepted during the last fortnight. In the run-up to the November 2007 federal election, Kevin Rudd's Australian Labor Party (ALP) campaigned on a promise to adopt a more humane approach to asylum seekers. In December, 2007, after his election victory, the Rudd government announced the end of the previous administration's "Pacific Solution" (off-shore processing of asylum seekers in Nauru and Papua New Guinea). In May 2008, the government announced it was scrapping Temporary Protection Visas, a measure introduced in 1999 by the Howard government to deter people smugglers (under this policy, unauthorized arrivals found to be refugees could be removed from Australia if conditions in their home countries improved). In July 2008, the government changed the fundamental premise underlying "mandatory detention" (while their claims are processed, asylum seekers will only be detained as a last resort). In November 2008, the Immigration Minister said: "With the worst excesses of Howard era refugee policy behind us, Australia has been able to return as a credible international actor in the field of refugee protection." The Howard government's tough stance on border protection was widely credited for its 2001 election victory.

THE BLAME GAME

15. (U) The Opposition has charged that the government's changes sent a "green light" to people smugglers; accuses the government of not providing adequate resources for border security, quarantine services and immigration processing; and has called for greater co-operation with Indonesia in combating people smuggling. Opposition immigration spokesperson Sharman Stone blamed Rudd's government for the April 16 tragedy, saying that "you can't slash funds, you can't take your eye off the ball, you can't announce a softer policy and then expect people not to lose their lives through people smuggling." The Government has attributed the recent surge to "seasonal conditions"; and "push factors" such as deteriorating conditions in Pakistan, Afghanistan and Sri Lanka. The Government has also noted that the number of asylum seekers has increased around the world. Immigration Minister Chris Evans, in Indonesia ironically for a regional

conference on people smuggling, said Indonesia lacked sufficient capacity to prosecute people smugglers.

¶6. (SBU) Officials at DFAT have told the Embassy that small, independent smugglers are replacing the larger operators in part because of Indonesia's success -- bolstered by help and training from the Australian Federal Police and Australian customs -- in stopping the major people smugglers, who exerted the most corrupting influence on the military, politicians and police. Asylum seekers have the money to pay/bribe the small providers, and the boats are leaving from many more coves and inlets than before, greatly complicating the coast guard's task.

¶7. (SBU) On the more general issue of soft immigration policies, Gregory Copely of the Perth-based think-tank Future Directions blamed the recent rise in illegal boats on PM Rudd's softened immigration policy, opining that "the Government is not prepared adequately to defend the sovereignty of Australia and the laws of Australia." Copely asserted the Prime Minister would be better served by returning to the policies of the Howard era of not tolerating illegal arrivals, which had succeeded in keeping incursions to a minimum. A leading ALP strategist told Consulate Perth that he thought the increased incidence of asylum seekers resulted from a combination of Australia's softer immigration policy and a global increase in refugee movements, and that the government was right to withhold comment on the cause of the Ashmore Reef incident until hard evidence was obtained on the cause of the explosion. Another Labor politician told CG Perth that he was surprised that Barnett came out so early to accuse the Afghanis of sabotaging their own vessel, adding that one had to be careful with such accusations in light of the "Children Overboard" incident of several years ago.

NOT A THREAT TO THE POLITICAL BALANCE

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¶8. (SBU) COMMENT: The Coalition, lagging far behind in the polls and struggling to connect with Rudd's "working families", is seeking to shift political debate to one of the Coalition's traditional strengths - national security. However, political dynamics have shifted on border protection since the 2001 election. At that election, not long after September 11, Prime Minister Howard declared: "We will decide who comes to this country and the circumstance in which they come." However, the economy is now foremost in the minds of "working families", and the Howard government's detention policy was scandalized by wrongful detentions and disturbing cases of long-term detention. It is difficult to envisage Rudd significantly hardening immigration policy. This would alienate the Left of his party, and possibly undermine Australia's bid for a UN Security Council seat. And there is no indication so far that this issue is affecting his dominant standing in the polls. Rather, it is likely Rudd will continue to pressure Indonesia, in particular, to do more. This issue may backfire on the Coalition, if it becomes too vocal, given that some moderate Liberals were uncomfortable with the Howard government's approach. END COMMENT.

¶9. (U) This report was prepared in coordination with Consulate General Perth.

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